

House Amendment 8123

PAG LIN

1 1 Amend House File 2610 as follows:
1 2 #1. Page 6, by inserting after line 7 the
1 3 following:
1 4 <DIVISION ____
1 5 IMMIGRATION LAW ENFORCEMENT
1 6 Sec. ____ MEMORANDUM OF UNDERSTANDING ==
1 7 ENFORCEMENT OF FEDERAL IMMIGRATION LAW.
1 8 1. The attorney general is authorized and directed
1 9 to negotiate the terms of a memorandum of
1 10 understanding between the state of Iowa and the United
1 11 States department of justice or the United States
1 12 department of homeland security concerning the
1 13 enforcement of federal immigration and custom laws,
1 14 detention removals, and investigations in the state of
1 15 Iowa. The agreement shall provide that costs incurred
1 16 by the state for the detention and deportation of an
1 17 unauthorized alien shall be reimbursed by the federal
1 18 government.
1 19 2. The memorandum of understanding negotiated
1 20 pursuant to subsection 1 shall be signed on behalf of
1 21 this state by the attorney general and the governor or
1 22 as otherwise required by the appropriate federal
1 23 agency but shall not be implemented until money is
1 24 appropriated for such purpose.
1 25 3. A local government, whether acting through its
1 26 governing body or by an initiative, referendum, or any
1 27 other process, shall not enact any ordinance,
1 28 resolution, or policy that limits or prohibits a law
1 29 enforcement officer, local officer, or local
1 30 government employee from communicating or cooperating
1 31 with federal officials with regard to the immigration
1 32 status of any person within this state.
1 33 4. Notwithstanding any other provision of law, a
1 34 government entity or official within the state of Iowa
1 35 shall not prohibit, or in any way restrict, any
1 36 government entity or official from sending to, or
1 37 receiving from, the United States department of
1 38 homeland security information regarding the
1 39 citizenship or immigration status, lawful or unlawful,
1 40 of any individual.
1 41 5. Notwithstanding any other provision of law, a
1 42 person or agency shall not prohibit, or in any way
1 43 restrict, a public employee from doing any of the
1 44 following with respect to information regarding the
1 45 immigration status, lawful or unlawful, of any
1 46 individual:
1 47 a. Sending such information to, or requesting or
1 48 receiving such information from, the United States
1 49 department of homeland security.
1 50 b. Maintaining such information.
2 1 c. Exchanging such information with any other
2 2 federal, state, or local government entity.
2 3 6. Any natural or legal person lawfully domiciled
2 4 in this state may file for a writ of mandamus to
2 5 compel any noncooperating local or state governmental
2 6 agency to comply with this section.>
2 7 #2. Title page, line 1, by inserting after the
2 8 word <to> the following: <identity determination and
2 9 protection and>
2 10 #3. Title page, line 3, by inserting after the
2 11 word <individuals,> the following: <and providing for
2 12 enforcement of immigration laws in the state,>.
2 13 #4. By renumbering as necessary.
2 14
2 15
2 16
2 17 _____
2 18 STRUYK of Pottawattamie
2 19 HF 2610.301 82
ak/rj/11220